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EXAMINER	
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ART UNIT	PAPER NUMBER
2129	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/531,054	Applicant(s) MAJIDIAN, ANDREI	
	Examiner Omar F. Fernández Rivas	Art Unit 2129	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-15 is/are rejected.
- 7) ☒ Claim(s) 5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 April 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>6/8/2005</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-15 are pending on this application.

Specification

2. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

Claim Objections

3. Claims 4, 6-8, 12, 14 and 15 are objected to because of the following informalities: the claims above are independent claims that reference the limitations of another independent claim. For example, independent claim 4 references the limitations of independent claim 1. This referencing makes it difficult to keep track of the limitations in the independent claims and understanding the claimed invention. For the sake of clarity, the Applicant is advised to duplicate the limitations of claim 1 into claim 4 accordingly instead of referencing the limitations between independent claims.

Appropriate correction is required.

4. Claim 5 is objected to as being dependent upon a rejected base claim.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the

art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 3 and 11 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims recite: "producing from the semantic data a second graph structure corresponding to **the inverse of the hierarchical semantic relationships** between the available system commands". However, there is nothing in the specification, or in the claims, that explains what the inverse of the hierarchical semantic relationship means. A person of ordinary skill in the arts would not be able to replicate the invention without undue experimentation because the intent of this limitation cannot be determined. Therefore, this limitation will not be considered in the art rejection.

Claim Rejections - 35 USC § 102

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-4 and 6-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Wedde et al. ("Modular Authorization", SACMAT'01; referred to as **Wedde**).

8. In the citations of the prior art, C1 means the left column of the specified page and C2 means the right column of the specified page.

Claims 1 and 9

Wedde anticipates a method of identifying conflicts in a set of system operating rules (**Wedde**: page 97, abstract, L6-19; page 97, C2, L18 to page 98, L5), comprising the steps of: a) storing rule data representing a set of one or more system operating rules, each rule comprising at least one system command (**Wedde**: page 97, C2, L18-43; page 98, C1, L6-11; pages 99-100, Sections 3.1-3.2; pages 101-102, Section 4.4; Examiner's Note (EN); paragraph 12 applies. An organization is a system. Accessing a resource using a method is a system command. Every computer system must store data in order to retrieve the data to use in its operations); b) receiving semantic data representing a graph structure of hierarchical semantic relationships between available system commands, including those in the set of system operating rules (**Wedde**: page 97, abstract, L6-19; page 97, C2, L18-43; pages 99-100, sections 3.1 and 3.2; page 102, section 4.5; EN: paragraph 12 applies. The access hierarchy is a graph structure. Inheritance of authorization rules (semantic data) will provide a semantic relationship in the hierarchy); c) expanding the system operating rules according to the allowable hierarchical semantic relationships between the available system command portions, to give, for any particular system operating rule, an additional system operating rule for each hierarchical semantic level in the graph structure below the system command present in the particular rule (**Wedde**: page 97, abstract, L6-19; page 97, C2, L18-43; pages 99-100, sections 3.1 and 3.2; page 102, section 4.5; page 102, section 5, L1-8; EN: paragraph 12 applies. Inheriting rules from higher levels (linking) is expanding); and d) comparing the expanded system rules to identify those rules for which a

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semantic conflict occurs therebetween (**Wedde**: page 97, abstract, L6-19; page 97, C2, L18 to page 98, L5; page 99, section 3.2; pages 102-103, section 5).

Claims 2 and 10

Wedde anticipates each stored rule comprises a subject portion identifying one or more system users, a system command portion identifying the system command to which the rule relates, and an object portion identifying one or more system objects to which the rule applies (**Wedde**: page 99, section 3.1; pages 100-102, sections 4-4.5; page 103, section 6.1); and wherein when any of the system rules identify more than one system users in the subject portion, and/or more than one system objects in the object portion, the method further comprises expanding such rules to produce replacement rules having a single system user in the subject portion, and a single system object in the object portion, said replacement rules being produced before the expansion step c) is performed (**Wedde**: page 99 C2, L22 to page 99, C1, L10; page 99, section 3.1; pages 102-103, section 5; EN: paragraph 12 applies. Identifying a user having different roles or having different rules for handling the access authorization to an object in different authorization spheres and solving the conflicts that may arise between these rules).

Claim 3 and 11

Wedde anticipates each stored rule further comprises a positive indication portion, which indicates whether the rule is to be applied positively or negatively (**Wedde**: pages 101-102, section 4.4; page 103, section 6.1; EN: the +/- sign), the method further comprising the step of producing from the semantic data a second graph

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structure corresponding to the inverse of the hierarchical semantic relationships between the available system commands, and wherein the expanding step c) uses the hierarchical semantic relationships of the second graph structure to expand any rules for which the positive indication portion thereof indicates are to be applied negatively (as stated above, this limitation has not been considered since it was rejected under 35 USC 112, second paragraph).

Claims 4 and 12

Wedde anticipates a method of generating a set of system operating rules from an initial set of system operating rules, comprising the steps of: identifying conflicts in the initial set of system operating rules using the method of claim 1 (see rejection of claim 1 above); and resolving any identified conflicts in the expanded set of initial rules to give a resolved expanded set of system operating rules (**Wedde**: page 97, abstract, L 13-19; pages 98-99, section 2; pages 102-103, section 5; EN: paragraph 12 applies. Determining which of the conflicting rules apply or changing the rules to solve the conflict will generate a resolved expanded set of rules).

Further regarding claim 12, it has been held that the recitation that an element is "adapted to" (or in this case "configured to") perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138. The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that

suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation.

Claim 6

Wedde anticipates a method of operating a system comprising applying the set of system operating rules generated by claim 4 in the system operation (**Wedde**: pages 102-103, sections 5-6.2; EN: see rejection of claim 4 above. The examples provided apply the set of operating rules in an organization (system)).

Claim 7

Wedde anticipates a computer program or suite of programs arranged such that when executed by a computer it causes the computer to perform the method of claim 1 (**Wedde**: page 97, C2, L26-34; page 98, C1, L6-11; EN: the Dragon Slayer file system).

Claim 8

Wedde anticipates a computer readable storage medium storing a computer program or suite of programs according to claim 7 (**Wedde**: page 97, C2, L26-34; page 98, C1, L6-11; EN: the Dragon Slayer file system. It is inherent that a program must be stored in a storage medium if a computer is to execute the program).

Claim 13

A system according to claim 12, wherein the processing means is further **arranged to**: reduce the resolved expanded set of initial rules to canonical form to give an optimised set of system operating rules (EN: It has been held that the recitation that an element is "adapted to" (or in this case "arranged to") perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a

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limitation in any patentable sense. In re Hutchison, 69 USPQ 138. The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope.

Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation.

Claim 14

Wedde anticipates a system **arranged to** operate in accordance with a set of system operating rules generated by the system of claim 12 (**Wedde**: pages 102-103, sections 5-6.2; EN: see rejection of claim 4 above. The examples provided apply the set of operating rules in an organization (system). Therefore the system is operating in accordance to the rules generated. It has been held that the recitation that an element is "adapted to" (or in this case "arranged to") perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138. The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation).

Claim 15

Wedde anticipates a system **arranged to** operate in accordance with a set of system operating rules generated by the system of claim 13 (**Wedde**: pages 102-103, sections 5-6.2; EN: see rejection of claim 4 above. The examples provided apply the set of operating rules in an organization (system). Therefore the system is operating in accordance to the rules generated. It has been held that the recitation that an element is "adapted to" (or in this case "arranged to") perform a function is not a positive limitation but only requires the ability to so perform. It does not constitute a limitation in any patentable sense. In re Hutchison, 69 USPQ 138. The subject matter of a properly construed claim is defined by the terms that limit its scope. It is this subject matter that must be examined. As a general matter, the grammar and intended meaning of terms used in a claim will dictate whether the language limits the claim scope. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation).

Examination Considerations

9. The claims and only the claims form the metes and bounds of the invention. "Office personnel are to give the claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 105455, 44USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d, 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The

Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

10. Examiner's Notes are provided with the cited references to prior art to assist the applicant to better understand the nature of the prior art, application of such prior art and, as appropriate, to further indicate other prior art that maybe applied in other office actions. Such comments are entirely consistent with the intent and spirit of compact prosecution. However, and unless otherwise stated, the Examiner's Notes are not prior art but a link to prior art that one of ordinary skill in the art would find inherently appropriate.

11. Unless otherwise annotated, Examiner's statements are to be interpreted in reference to that of one of ordinary skill in the art. Statements made in reference to the condition of the disclosure constitute, on the face of it, the basis and such would be obvious to one of ordinary skill in the art, establishing thereby an inherent prima facie statement.

12. Examiner's Opinion: paragraphs 9-11 apply. The claims and only the claims form the metes and bounds of the invention. The Examiner has full latitude to interpret each claim in the broadest reasonable sense.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Moriconi et al. US PG PUB #2001/0007133

Oatman et al. US Patent #6,389,405

Kohli et al. US Patent #7,213,068

14. Claims 1-4 and 6-15 are rejected.

Correspondence Information

15. Any inquires concerning this communication or earlier communications from the examiner should be directed to Omar F. Fernández Rivas, who may be reached Monday through Friday, between 8:00 a.m. and 5:00 p.m. EST. or via telephone at (571) 272-2589 or email omar.fernandezrivas@uspto.gov.


If you need to send an Official facsimile transmission, please send it to (571) 273-2589.

If attempts to reach the examiner are unsuccessful the Examiner's Supervisor, David Vincent, may be reached at (571) 272-3080.

Hand-delivered responses should be delivered to the Receptionist @ (Customer Service Window Randolph Building 401 Dulany Street Alexandria, VA 22313), located on the first floor of the south side of the Randolph Building.

Omar F. Fernández Rivas
Patent Examiner
Artificial Intelligence Art Unit 2129
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Wednesday, August 15, 2007



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